

From: [Bill Jacobs](#)
To: [Russell Waseem](#)
Cc: [Anie Lauzon](#); [Dan Peacock](#); [Jennifer Gaines](#); [Gene Benbow](#); [Mark Corbin](#)
Subject: Re: PMRA Inquiry - Rodenticides
Date: 05/07/2012 04:21 PM

Prior to the issuance of PR Notice 83-5, I was directed by the person who then was in charge of our Office of Pesticide Programs (OPP) to evaluate rodenticide bait stations brought to EPA's attention and to assess them against what then were the proposed criteria for tamper-proof bait boxes. Those stations were sold "empty" (i.e., without bait in them). Such products are considered under our pesticide act to be "pesticide application equipment" and, as such, are excluded from direct regulation by EPA. They are, however, equipment which rodenticide users are required to use under certain conditions. It was in that context that I was instructed to evaluate units and provide guidance that could be made available to people looking for products that were consistent with label requirements.

When issued, PR Notice 83-5 included a short list of the products then in existence that came closest to meeting the criteria. After that notice was issued, I was instructed to continue to assess bait stations and to update the list of "adequately protective" stations as additional units were presented to EPA. Again, such evaluations were performed essentially as a public service to provide guidance to rodenticide users as to the availability of products that might be used in circumstances where rodenticide labels required that "tamper-proof bait boxes" be used. There was no requirement then, and there is no requirement now, that rodenticide users purchase a station from the list. They are free to use any station that meets the criteria for a tamper-resistant bait station, whether they purchase a station that is on the list, purchase another commercially available unit that meets the criteria, or build their own tamper-resistant bait stations.


Issuance of PR Notice 83-5 and the two sessions of public hearings which followed that event led to a proliferation of new bait station designs, some of which made it onto the expanding list of "adequately protective" units.

With the issuance of PR Notice 94-7, the term "tamper-proof bait boxes" was replaced by "tamper-resistant bait stations"; the 8 criteria were adjusted accordingly; and new statements were prescribed for labels of commensal rodenticide baits. A copy of the then-current list of bait stations was appended to PR Notice 94-7.

That list last was updated in 1996. Since that time, I issued letters on a couple of units on specialty stations that were not suited for general use, but no additional conventional units quite made the grade.

When rodenticide bait stations are sold in packages which include bait inside and/or in addition to the bait station, the whole arrangement is considered to be a "pesticide product" under U.S. law. The bait stations for the "consumer" market that the 2008 Risk Mitigation Decision for Ten Rodenticides addresses are of this ready-to-use type. They must be registered as pesticide products.

▼ [Re: PMRA Inquiry - Rodenticides](#)

Re: PMRA Inquiry - Rodenticides 

Russell to: Anie Lauzon
Wasem

05/07/2012
02:34 PM

Cc: Bill Jacobs, Dan Peacock, Jennifer Gaines

Hello Anie,

I am not aware of us receiving these inquiries. Jen, Dan, and Bill would be more likely to receive these types of questions. At the end of the RMD is a section that provides bait station testing protocols and this likely resolves many of the issues you highlight below.

We do not plan to provide information on which bait stations are suitable for commercial/ag use other than the bait station must be tamper resistant when used around children, pets, or non-target wildlife. Also, We definitely would not evaluate bait stations sold without bait (the statute we work under does not permit that). Finally, we do not plan to update our list of adequately protective bait stations.

Please let me know if you have any further questions.

Best,

Rusty_____

Rusty Wasem / Chemical Review Manager
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▼ Anie Lauzon ---05/04/2012 09:56:19 AM---Hello Rusty, Recently, the PMRA has been receiving several inquiries pertaining to our

From: Anie Lauzon <anie.lauzon@hc-sc.gc.ca>
To: Russell Wasem/DC/USEPA/US@EPA
Cc: Dan Peacock/DC/USEPA/US@EPA, Jennifer Gaines/DC/USEPA/US@EPA, Bill Jacobs/DC/USEPA/US@EPA
Date: 05/04/2012 09:56 AM
Subject: PMRA Inquiry - Rodenticides

Hello Rusty,

Recently, the PMRA has been receiving several inquiries pertaining to our 2010 Risk

Mitigation Decision for Eight Rodenticides. Since the PMRA decision is for the most part consistent with the EPA 2008 RMD, I was wondering if the EPA had received similar inquiries (see below).

While the PMRA will be evaluating the acceptability of bait stations that are to be sold with consumer use products (domestic products), the decision document indicated that the PMRA does not regulate bait stations sold without bait, and that it was up to the user to obtain or construct bait stations that conform to the label requirements. For example, bait stations used outdoor, in locations accessible to children and non-target animals must meet the following characteristics:

1. *be resistant to destruction or weakening by elements of typical non-catastrophic weather (such as, some, rain, extremes of temperature and humidity, direct sunshine, etc.)*
2. *be constructed of high-strength material (e.g., metal or injection moulded plastic) and resistant to destruction by children and non-target animals*
3. *have an entrance designed so that children and non-target animals cannot reach the bait*
4. *have an internal structure that prevents bait from being shaken loose*
5. *have an access panel that fastens securely and locks (e.g., metal screw or padlock)*
6. *bear the product name, active ingredient, guarantee, registration number, "WARNING POISON", and the skull and crossbones symbol.*

Although specific label statements differ between the Canada and the US, I believe the approach is consistent with the U.S requirements.

The main questions/comments the PMRA has received are:

1. Confusion between the requirements for 'consumer products' and 'commercial/agricultural products'.
2. Requests for the PMRA to evaluate and 'approve' tamper-resistant bait stations that are to be sold without bait.
3. Comments that characteristics of tamper-resistant bait stations (*see example above*) are not clear enough and that growers and professional applicators are not sure which bait stations to use.
 - Has the EPA received similar inquiries?
 - Is EPA providing information to users as to which bait stations are acceptable for use with commercial/agricultural rodenticides?
 - Is EPA evaluating bait stations that will be sold without bait?
 - Will EPA update its list of 'adequately protective' bait stations? (A while back, I was provided an historical list, dated 1996)

I am looking forward to hearing whether or not the EPA has been dealing with a similar situation, or if this is specific to Canada.

Thank you for your assistance.